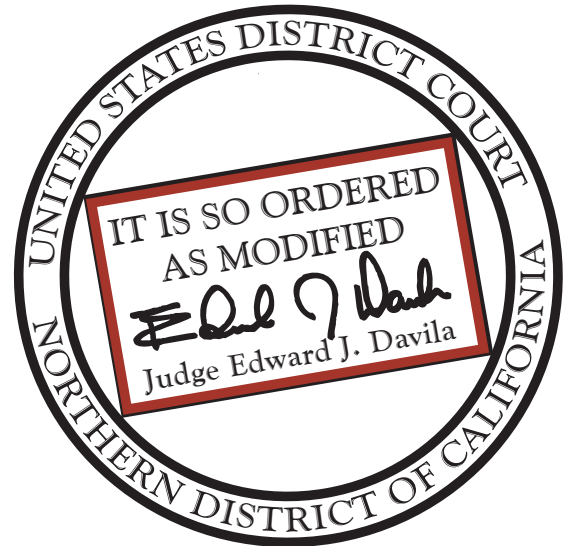


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8/24/2011

10 Attorneys for Plaintiff Forest Ambulatory
 Surgical Associates, L.P. doing business as Forest
 11 Surgery Center

12
 13 **UNITED STATES DISTRICT COURT**
 14 **NORTHERN DISTRICT OF CALIFORNIA**
 15

16 FOREST AMBULATORY SURGICAL
 ASSOCIATES, L.P., doing business as
 17 FOREST SURGERY CENTER,

18 Plaintiff,

19 vs.

20 UNITED HEALTHCARE INSURANCE
 COMPANY and DOES 1 through 20,

21 Defendants.
 22

CASE NO. CV10-04911 EJD
 (Case Assigned for All Purposes to Hon.
 Edward J. Davila)

**JOINT STIPULATION AND [PROPOSED]
 ORDER FURTHER EXTENDING TIME
 TO FILE SECOND AMENDED
 COMPLAINT**

(Santa Clara Superior Court Number:
 110CV183843)

Complaint Filed: Sept. 29, 2010

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1 Plaintiff, FOREST AMBULATORY SURGICAL ASSOCIATES (“Forest”) and
 2 Defendant, UNITED HEALTHCARE INSURANCE COMPANY (“United” and, together with
 3 Forest, the “Parties”), hereby submit, through their undersigned counsel of record, the following
 4 Stipulation and Proposed Order.

5 STIPULATION

6 Pursuant to the Parties’ prior Stipulation and Court Order, entered by the Court on August
 7 2, 2011 (Dkt. # 49), Forest’s deadline to file its Second Amended Complaint was extended from
 8 August 12, 2011 to September 2, 2011. For the following reasons, the Parties hereby agree to
 9 further extend the deadline to file the Second Amended Complaint:

- 10 (1) Since the entry of the original Stipulation and Court Order on August 2, 2011, the
 11 principal attorney representing Forest in this matter, Katherine R. Miller of Hooper,
 12 Lundy & Bookman, P.C., has taken leave for unexpected medical reasons. Ms.
 13 Miller is not expected to return for several months at a minimum. As a result, a
 14 new attorney will require time to become familiar with the issues and materials
 15 associated with this matter. The Parties anticipate that sixty (60) additional days
 16 will provide sufficient time for this transition.
- 17 (2) Forest has requested from United, but not yet received, all of the ERISA plan
 18 documents and summary plan descriptions for the claims at issue in this case. The
 19 Parties anticipate that the additional sixty (60) days will provide sufficient
 20 opportunity for United to provide the plan documents and for Forest to review and
 21 incorporate relevant plan terms as appropriate in its amended pleading.

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(3) Forest has recently become aware of additional unpaid and/or underpaid claims that may be appropriate to add to this lawsuit. The Parties anticipate that being granted sixty (days) of additional time to evaluate the potential new claims would enable Forest to file a more complete Second Amended Complaint.

IT IS SO STIPULATED.


DATED: August 23, 2011

HOOPER, LUNDY & BOOKMAN, P.C.

By: 
DARON L. TOOCH
Attorneys for Plaintiff Forest Ambulatory Surgical
Associates, L.P. doing business as Forest Surgery
Center

DATED: August 23, 2011

WALRAVEN & LEHMAN LLP

By: 
BRYAN S. WESTERFELD
Attorneys for Defendant United Healthcare Insurance
Company

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~~FILED~~
[PROPOSED] ORDER

IT IS HEREBY ORDERED that, good cause having been shown, Forest Ambulatory Surgical Associates' deadline to file its Second Amended Complaint is further extended from September 2, 2011 to **October 1, 2011**

The Court sets a Case Management Conference on **December 9, 2011 at 10:00 a.m.** On or before **December 2, 2011**, the parties shall file a joint case management conference statement.

Dated: August 24, 2011

By: 

Honorable Edward J. Davila
United States District Court Judge

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